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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,151	08/21/2003	Hyung-Seok Yu	678-1041 (P10425)	8924
66547 7590 11/15/2007 THE FARRELL LAW FIRM, P.C. 333 EARLE OVINGTON BOULEVARD SUITE 701 UNIONDALE, NY 11553			EXAMINER VU, MICHAEL T	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 11/15/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/646,151

Applicant(s)

YU, HYUNG-SEOK

Examiner

Michael Vu

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3 and 5-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 5-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1 and 3 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 5-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaaresoja (US 2002/0177471) in view of Uriya (US 6,574,489), and further view of Minami (US 5,495,236).

Regarding **Claims 1 and 3**, Kaaresoja teaches a method for giving notice of an incoming call in a mobile communication terminal [0029], comprising the steps of: storing a plurality of vibration patterns (Fig. 3, [0012, 0034], the different ways vibration patterns) the plurality of vibration patterns including information associated with time periods for which vibration generation is maintained [0032-0034], time periods for which vibration generation stops (Col. 8, lines 39-43, start and stop patterns), and **but**

Kaaresoja does not clearly teach on intensity of vibration for each time period; by a user and storing the plurality of configured vibration patterns; setting a vibration pattern, from among the stored vibration patterns for a particular telephone number of previously stored telephone numbers in a particular incoming notification mode;

However, Uriya teaches an incoming call notification method and device for a multimode radio device having a speaker, display, or vibrator that respectively output a different sound, display content, or vibration according to the current communication mode; and a control unit that controls operations, including the intensity (**RPM or Amplitude**) of vibration for each time period (Fig. 10-11, C2, L53-67, C8, L39-67 to C9, L1-43, C12, L16-54).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kaaresoja, such that time periods for which vibration generation stops, and intensity of vibration for each time period; setting a vibration pattern, from among the stored vibration patterns for a particular telephone number of previously stored telephone numbers in a particular incoming notification mode; and when an incoming call is received from a caller, generating vibration based on the set vibration pattern if a telephone number of the incoming call matches the particular telephone, to distinguish or identify which incoming call belongs to based on the set of vibration pattern.

But Kaaresoja/Uriya do not clearly disclose on and when an incoming call is received from a caller, generating time varying vibration based on the set vibration pattern when a telephone number of the incoming call matches the particular telephone.

However, Minami teaches a paging receiver having a display and an alerting device which alerts the user to an incoming call by producing tones in any one of a plurality of different patterns. The paging receiver allows the user to replace any of the patterns with a desired pattern by operating a setting device. The desired pattern is written to an EEPROM (Electrically Erasable Programmable Read Only Memory) built in the paging receiver. And further teaches receiver for alerting the user to an **incoming call is available in some different types, i.e., a type causing a vibrator to vibrator**, a type causing an indicator implemented by an LED (Light Emitting Diode) to flash, a type causing a speaker to sound, and a type which is the combination of any of such types. The sound type alerting means may even be constructed to selectively produce either one of a loud tone and a low tone, either one of a high-pitched tone and a low-pitched tone, or any one of a **plurality of different tone patterns**, as proposed in the art. Such a construction allows the user to identify, for example, the person who is calling or the level degree of importance of the call. Regarding the plurality of tone patterns, each of them has a particular number of intermittent tones and a particular tone length per predetermined time (See Col. 1, line 9 through Col. 4, line 39).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kaaresoja/Uriya, such that according to a user's selection and storing the plurality of configured vibration patterns, to distinguish or identify which vibration pattern based on the set selected by users, and for avoiding from the others of the same type in respect of the reception of a call and/or identical tone patterns.

Regarding **Claim 5**, Kaaresoja/Uriya/Minami teach the method as set forth in claim 3, wherein the plurality of vibration patterns are configured by inputs of an intensity adjustment key and a time adjustment key (Fig. 2-3, [0032-0034]) of Kaaresoja.

Regarding **Claim 6**, Kaaresoja/Uriya/Minami teach the method as set forth in claim 5, wherein the intensity adjustment key is a volume adjustment key of the mobile communication terminal and the time adjustment key is one of a left and right direction key of the mobile communication terminal (Fig. 2-3, [0032-0034]) of Kaaresoja.

Regarding **Claim 7**, Kaaresoja/Uriya/Minami teach the method as set forth in claim 5, wherein the configuring and storing the plurality of vibration patterns according to a user's input comprises the steps of: displaying a graph (**Image/Icon**) corresponding to information associated with time periods for which vibration generation is maintained, time periods for which vibration generation stops, and intensity of vibration for each time period, in response to the inputs of the intensity adjustment key and the time adjustment key from the user; and storing a vibration pattern based on the displayed graph in response to a configuration completion command from the user (Fig. 2, 7, and Fig. 11 Images A-N, C2, L49-67 to C3, L1-25, C4, L46-67 to C5, L1-12) of Uriya and (Fig. 2-3 [0032-0034] of Kaaresoja.

Regarding **Claim 8**, Kaaresoja/Uriya/Minami teach the method as set forth in claim 3, wherein the plurality of vibration patterns are displayed in form of a graph according to a user's request Fig. 2, 7, and Fig. 11 Images A-N, C2, L49-67 to C3, L1-25, C4, L46-67 to C5, L1-12) of Uriya and (Fig. 2-3 [0032-0034] of Kaaresoja.

Regarding **Claim 9**, Kaaresoja/Uriya/Minami teach the method as set forth in claim 3, wherein the plurality of vibration patterns are displayed in text form according to a user's request (C2, L49-67 to C3, L1-25) of Uriya.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Vu whose telephone number is (571) 272-8131. The examiner can normally be reached on 8:00am - 6:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael T. Vu
Examiner

JEAN GELIN
PRIMARY EXAMINER

